

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 12, 1999

DIVISION ONE

B127764 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Marie C.

The orders under review are affirmed.

Masterson, J.

We concur: Spencer, P.J.
 Ortega, J.

DIVISION TWO

B121509 People (Not for Publication)
 v.
 Baker

The Court:

The judgment is modified to reflect a \$200 fine pursuant to Penal Code section 1202.45, which fine shall be suspended unless appellant's parole is revoked. The abstract of judgment shall be amended to reflect this fine and the \$200 fine imposed pursuant to Penal Code section 1202.4, subdivision (b). In all other respects, the judgment is affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

DIVISION TWO (Continued)

B126927 MK Pacific Realty, Inc. (Not for Publication)
v.
Hata

The judgment is reversed and the cause is remanded to the trial court for further proceedings consistent with the views expressed herein. The parties shall bear their own costs on appeal.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Zebrowski, J.

B125003 Bell (Not for Publication)
v.
Chambler et al.

The judgment is affirmed.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Nott, J.

B099027 Walker (Not for Publication)
v.
City of Los Angeles et al.

The summary judgment is reversed with respect to defendants City of Los Angeles, Department of Airports, and Airports Police Bureau (city), and is otherwise affirmed. The order awarding costs and attorney fees is affirmed in part but reversed with respect to the amount of attorney fees awarded. Plaintiff shall recover his costs on appeal from the city.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Zebrowski, J.

August 12, 1999-Continued

DIVISION TWO (Continued)

[illegible]

The Court:

The judgment is modified to reflect a \$200 restitution fine pursuant to Penal Code section 1202.4, subdivision (b) and a \$200 fine pursuant to Penal Code section 1202.45, the latter fine to be suspended unless appellant's parole is revoked. The abstract of judgment is to be amended to reflect these fines. In all other respects, the judgment is affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

B125349 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Susan M., et al.

The judgment is affirmed.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Nott, J.

DIVISION THREE

B132629 Angelica M. (Not for Publication)
v.
Superior Court, Los Angeles County
(L.A. County Dept. of Children & Family Services, r.p.i.)

The petition is denied.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

August 12, 1999-Continued

DIVISION THREE (Continued)

B131459 Kristy C. (Not for Publication)
v.
Superior Court, Los Angeles County
(L.A. County Department of Children & Family Services, r.p.i.)

The petition is denied.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B109821 Zahiri et al. (Not for Publication)
v.
P.S.Y. Health Systems, Inc., et al.

The judgment, as to PSY, is modified to reverse the \$60,000 award in favor of Zahiri on the claim for intentional interference with prospective economic advantage. As modified, the judgment is affirmed.

The order finding Zahiri the prevailing party and awarding him attorney fees is affirmed.

Costs on appeal to Zahiri.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

B112357 People
v.
Gordon

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION THREE (Continued)

B118129 People
 v.
 Renteria

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B124129 People (Not for Publication)
 v.
 Lim

The judgment is modified to reflect a \$10,000 parole revocation fine. As modified, the judgment is affirmed. A corrected abstract of judgment shall be transmitted to the Department of Corrections.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B116490 People (Not for Publication)
 v.
 Major

The judgment is modified to impose a \$300 parole revocation fine, to remain suspended unless and until Major violates parole. The judgment is affirmed as modified. The trial court shall have its clerk prepare an amended abstract of judgment reflecting the corrections delineated in this opinion, and forward a copy to the Department of Corrections.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION THREE (Continued)

B128419 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Eva B.

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

105721-99

The HONORABLE HARVEY A. SCHNEIDER, Judge of the Los Angeles Superior Court, Los Angeles County, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Three, as a Justice thereof, on the following dates:

September 1, 1999 to November 30, 1999

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated: August 11, 1999

Ronald M. George
Chief Justice of California and
Chairperson of the Judicial Council

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Curry, J., and V. Guzman, Deputy Clerk.

B120530 County of Los Angeles
v.
Aames

Merits:

Argued by A. Benjamin Aames appellant in propria persona and by Nancy K. Ruffolo, deputy district attorney, for respondent. Cause submitted.

B114847 People
v.
Alvarado and Soto

Merits:

Argued by Tracy J. Dressner for appellant Alvarado and by Beverly K. Falk, deputy attorney general, for respondent. Counsel for appellant Soto waived oral argument. Cause submitted.

B131450 De La Rosa
v.
Superior Court
(Garabet, r.p.i.)

Merits:

Argued by Paul White for petitioner and by Brian L. Hoffman for real party in interest. Cause submitted.

B126160 Goodstein, M.D.
v.
The Doctors' Management Company, Inc.

Merits:

Argued by Herbert Papenfuss for appellant and by Patricia Egan Daehnke for respondent. Cause submitted.

DIVISION FOUR (Continued)

B116276 Auerbach, et al.
 v.
 Great Western Bank

Merits:

Argued by Shirley M. Hufstedler for appellants and by S. Jerome Mandel for respondent. Cause submitted.

Court in recess.

The Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Curry, J., and V. Guzman, Deputy Clerk.

B116492 People
 v.
 Smith

Merits:

Argued by Seymour I. Amster for appellant and by Robert F. Katz, deputy attorney general for respondent. Cause submitted.

B119109 McGrew et al.
 v.
 Spignese et al.

Merits:

Argued by Stanley D. Bowman for appellants and by James M. Prestininzi for respondents. Cause submitted.

B119495 Shabtay et al.
 v.
 20th Century Insurance Company

Merits:

Argued by Stanton D. Bowman for appellants and by Roy G. Weatherup for respondent. Cause submitted.

DIVISION FOUR (Continued)

Each of the following:

B125169 People v. Rowland
B124848 People v. Hernandez
B122218 People v. Anderson
B121717 People v. Young
B132171 Linda J. v. S.C.L.A. (D.C.F.S.)
B124666 D.C.F.S. v. Ambrocia A. and Garbis M.
B127460 Aida Q. v. D.C.F.S.

Argument waived, cause submitted.

Court Adjourned.

B124587 People (Not for Publication)
v.
Garcia

The judgment is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., and G. Bents, Deputy Clerk.

B126035 Famularo
v.
Famularo

Merits:
Argued by Patrick J. Perry for appellant and by John F. Hodges for respondent. Cause submitted.

DIVISION SIX (Continued)

B126815 Huntsinger
 v.
 Price

Merits:

Argued by Mark S. Borrell for appellant and by Lindsay F. Nielson for respondents. Cause submitted.

B126437 San Luis Obispo County
 v.
 Greenway Environmental Services, Inc.

Merits:

Argued by James R. Leavy for appellant and by Craig A. Caldwell for respondent. Cause submitted.

B126486 Quackenbush
 v.
 Santa Barbara Co. Municipal Court

Merits:

Argued by Daniel Quackenbush, appellant appearing in propria persona, and by Stephen D. Underwood, chief deputy county counsel, for respondent. Cause submitted.

B125475 A & J Sanchez Co., Inc.
 v.
 Engineering Development Assoc.

Merits:

Argued by Nico Charisse for appellant and by Douglas K. Lackey for respondent. Cause submitted.

DIVISION SIX (Continued)

B128292 Vizzi
 v.
 Dept. of Motor Vehicles

Merits:
Argued by Ronald A. Jackson for appellant and by Janet E. Burns, deputy attorney general, for respondents. Cause submitted.

B129073 Howard
 v.
 Dept. of Motor Vehicles

Merits:
Argued by Ronald A. Jackson for appellant and by Janet E. Burns, deputy attorney general, for respondents. Cause submitted.

B128878 Cobb
 v.
 Dept. of Motor Vehicles

Appearances:
Ronald A. Jackson for appellant and by Janet E. Burns, deputy attorney general, for respondents. Argument waived, cause submitted.

Court recessed at 10:30 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Matz, J. (Assigned), and G. Bents, Deputy Clerk.

DIVISION SIX (Continued)

Each of the following:

B111467 People v. Rodarte
B114055 People v. Sliwo
B121448 People v. Frutos
B122511 People v. Donlan
B124747 People v. Alejandro P.
B124841 People v. White & Brown
B125312 People v. Solomon
B125731 People v. Wren
B126266 People v. Halperin
B126764 People v. Bent
B126847 People v. Butler
B126867 People v. Lauderdale
B127289 People v. Webb
B127715 People v. McPherson
B127844 People v. Lemus
B129441 People v. Laulile
B129741 People v. McCormick

Argument waived, cause submitted.

B123897 People
 v.
 Jackson

Appearances:

Richard C. Loy for appellant and by Russell A. Lehman, deputy attorney general, for respondent via video conference. Argument waived, cause submitted.

B123677 People
 v.
 McClendon

Merits:

Argued by Jerry D. Whatley for appellant and by Erika D. Jackson, deputy attorney general, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B127375 People
 v.
 Wines

Merits:

Argued by Laini M. Melnick for appellant and by Herbert S. Tetef, deputy attorney general, for respondent via video conference. Cause submitted.

B126495 People
 v.
 Brown

Merits:

Argued by Wayne C. Tobin for appellant and by Russell A. Lehman, deputy attorney general, for respondent via video conference. Cause submitted.

B125721 People
 v.
 Passarelli

Merits:

Argued by Jerome P. Wallingford for appellant and by Lauren P. Dana, deputy attorney general, for respondent via video conference. Cause submitted.

B128104 People
 v.
 Moreno

Merits:

Argued by Ralph H. Goldsen for appellant and by David Wildman, deputy attorney general, for respondent via video conference. Cause submitted.

Court adjourned at 2:50 P.M.